

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO VENUE

Defendant.


REQUEST, STIPULATION AND ORDER

2. The parties agree that the time between October 25, 2006 and November 29, 2006 should be excluded from the Speedy Trial clock. Previously, the Court has declared this case complex. See 18U.S.C. section 3161(h)(8)(B)(ii). Further, defense counsel is investigating the immigration consequences of a plea. That matter needs a short amount of time to be resolved, and thus the parties

1 agree that a continuance is necessary for the effective preparation of defense counsel, taking into
2 account the exercise of due diligence. See 18 U.S.C. section 3161(h)(8)(B)(iv). The parties also agree
3 the ends of justice are served by excluding the period from October 25, 2006 to November 29, 2006
4 outweigh the interest of the public an the defendant in a Speedy Trial. See id. section 3161(h)(8)(A0.

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6 STIPULATED:

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8 DATED: October 20, 2006


MICHAEL GAINES
Attorney for Sang Hung Park

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12 DATED: October 20, 2006

/S/
PETER AXELROD
Assistant United States Attorney

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15 **ORDER**

16 For good cause shown, and for the reasons stated above, the Court (a) vacates the October
17 25, 2006, hearing date for defendant Sang Hung Park based on the anticipated plea agreement, (b)
18 sets the matter for a change of plea on November 29, 2006 at 2:15 p.m., and (c) excludes time under
19 the Speedy Trial Act, 18 U.S.C. section 3161 from October 25, 2006 to November 29, 2006. The
20 Court finds that the failure to grant the requested exclusion would deny defense counsel reasonable
21 time necessary for effective preparation taking into account the exercise of due diligence, Further,
22 the Court finds the exclusion warranted on complexity grounds, under 18 U.S.C. section
23 3161(h)(8)(B)(ii). Thus, the Court finds that the ends of justice served by granting the requested
24 exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the
25 prompt disposition of criminal cases. The Court therefore concludes that this exclusion of time

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3 should be made under 18 U.S.C. sections 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv).

4 IT IS SO ORDERED.

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6 DATED : October 23, 2006

